

# Newark

Ras J. Baraka  
Mayor

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October 21, 2020

**Via Electronic Filing**

Hon. Katharine S. Hayden, U.S.D.J.  
United States District Court  
District of New Jersey  
U.S. Post Office and Court House  
Newark, New Jersey 07102

Re: Fletcher v. City of Newark et al.  
Docket No. 20-cv-3413 (KSH-CLW)

Dear Judge Hayden:

I represent the defendant, City of Newark, in this matter. The City of Newark has filed a motion to dismiss.

I write to Your Honor in response to Mr. Rakofsky's somewhat puzzling letter dated October 20, 2020 (D.E. 19). I hope to clear up any confusion.

In that letter, Mr. Rakofsky recounts an October 13, 2020 telephone conversation he had with Azeem Chaudry, Esq., one of the other Assistants Corporation Counsel in the Litigation Section for the City. Apparently, Mr. Rakofsky interpreted that conversation as a "confirmation" by Mr. Chaudry that the City of Elizabeth in fact has an ownership interest in the Newark Liberty International Airport.

I have discussed the matter with Mr. Chaudry. As explained to me, Mr. Chaudry merely told Mr. Rakofsky that the City of Elizabeth may have an ownership interest. Mr. Chaudry does not know that for a fact. Mr. Chaudry also shared the attached text exchange with Mr. Rakofsky, also on October 13, 2020, and directly after the aforementioned telephone conversation, in which Mr. Rakofsky asked Mr. Chaudry to "confirm" that the City of Elizabeth owns the Airport, to which Mr. Chaudry responded that he "can't confirm that."

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Perhaps Mr. Rakofsky misinterpreted Mr. Chaudry. I, of course, was not part of that telephone conversation, however, the text exchange I have attached does not really support what Mr. Rakofsky is presently representing to Your Honor.

In any event, Mr. Chaudry's purported knowledge of who owns or who does not own the Airport seems entirely irrelevant to me. The City of Newark has, of course, admitted that it does, in fact, own a portion of the Airport, but its ownership simply has no bearing on the issues raised in this litigation, as recounted in the City of Newark's motion.

The City of Newark has no objection to any opposition that Mr. Rakofsky may seek to file in response to the City of Elizabeth's motion. But to the point, Mr. Chaudry is not a fact witness and whatever his knowledge is on this point, it is entirely immaterial.

Thank you.

Respectfully,

Kenyatta Stewart,  
Corporation Counsel

By: /s/ Gary S. Lipshutz  
Gary S. Lipshutz  
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/GSL  
Encl.